

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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Court Minutes

September 29, 2008

- C055606 THE PEOPLE v. (Not For Publication)**
SIDNEY ROSS DEEGAN
The judgment is affirmed.
RAYE, Acting P.J.
We Concur: Hull, J.
Cantil-Sakauye, J.
- C056364 THE PEOPLE v. (Not For Publication)**
RICHARD BRYAN BROWN
The judgment is affirmed.
SCOTLAND, P.J.
We Concur: Nicholson, J.
Hull, J.
- C056530 THE PEOPLE v. MALIK NUMAN (Not For Publication)**
The judgment is modified... The trial court shall prepare an amended abstract of judgment and forward a certified copy to the Department of Corrections and Rehabilitation. As modified, the judgment is affirmed.
HULL, J.
We Concur: Raye, Acting P.J.
Morrison, J.
- C056766 THE PEOPLE v. (Not For Publication)**
RODNEY EUGENE JEFFERSON
The judgment is affirmed.
SIMS, J.
We Concur: Scotland, P.J.
Robie, J.
- C057605 THE PEOPLE v. (Not For Publication)**
STEVEN RUSSELL WRIGHT
The judgment is affirmed. The trial court is directed to correct the abstract of judgment to list the component parts of the sex crime fine, indicate that defendant's acts are violent felonies, and indicate that his conduct credits were calculated pursuant to section 2933.1. A certified copy of the amended abstract shall be forwarded to the Department of Corrections and Rehabilitation.
HULL, J.
We Concur: Sims, Acting P.J.
Davis, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
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Court Minutes

September 29, 2008, Continued

C056170 THE PEOPLE v. TERESA FADDIS (Not For Publication)

The judgment is affirmed.

ROBIE, J.

We Concur: Morrison, Acting P.J.
Cantil-Sakauye, J.

**C055346 MILLVILLE ELEMENTARY SCHOOL (Not For Publication)
DISTRICT et al. v. DAVID HALLMAN
CONSTRUCTION et al.**

The judgment is reversed to the extent it determined that Millville and its insurers should take nothing from Nichols; in all other respects, the judgment is affirmed. The postjudgment costs order is reversed to the extent it ordered Millville and its insurers to pay costs to Nichols and Rossetto; in all other respects, the order is affirmed. The case is remanded to the trial court to determine who (among Millville and its insurers) is entitled to the \$200,000 in damages the jury awarded on Millville's cause of action for breach of contract against Nichols.

Millville and its insurers shall recover their costs on appeal from Nichols, and Hallman shall recover its costs on appeal from Millville and its insurers. ...

ROBIE, J.

We Concur: Raye, Acting P.J.
Cantil-Sakauye, J.

**C056745 TYLER-GRIFFIS v. (Not For Publication)
STATE BOARD OF EQUALIZATION**

The judgment is affirmed. Tyler-Griffis shall pay the SBE's cost on appeal. ...

MORRISON, J.

We Concur: Davis, Acting P.J.
Cantil-Sakauye, J.

**C057410 DEPARTMENT OF CORRECTIONS AND REHABILITATION v. WORKERS'
COMPENSATION APPEALS BOARD; ALEXANDER
BY THE COURT:**

Department of Corrections and Rehabilitation's petition for rehearing is denied.

SIMS, Acting P.J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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Court Minutes

September 30, 2008

- C054945 THE PEOPLE v. (Not For Publication)**
DENNIS WAYNE MIZE
The judgment is affirmed.
RAYE, J.
We Concur: Sims, Acting P.J.
 Davis, J.
- C055198 THE PEOPLE v. (Not For Publication)**
SOFALO MATESE BROWN
The judgment is affirmed.
BLEASE, J.
We Concur: Scotland, P.J.
 Morrison, J.
- C055534 THE PEOPLE v. BEE VUE (Not For Publication)**
The trial court is directed to prepare a corrected abstract of judgment deleting the \$10,000 fine under section 1202.45 and to forward a certified copy of said corrected abstract to the Department of Corrections and Rehabilitation. In all other respects the judgment is affirmed.
RAYE, J.
We Concur: Sims, Acting P.J.
 Robie, J.
- C055336 THE PEOPLE v. DAN W. REYNOLDS (Not For Publication)**
The judgment is reversed.
SCOTLAND, P.J.
I concur, but write separately...
Robie, J.
I respectfully dissent: I would affirm the judgment.
Sims, J.
- C056143 THE PEOPLE v. (Not For Publication)**
JOSEPH PAUL MULLEN
The judgment is affirmed.
HULL, J.
We Concur: Sims, Acting P.J.
 Morrison, J.

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STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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Court Minutes

September 30, 2008, continued

- C056191 THE PEOPLE v. (Not For Publication)**
CORY JUAN BRADEN, JR.
The judgment is affirmed.
CANTIL-SAKAUYE, J.
We Concur: Scotland, P.J.
Sims, J.
- C056241 THE PEOPLE v. (Not For Publication)**
JOHN LINDSEY LIEUALLEN
The judgment is affirmed.
RAYE, J.
We Concur: Scotland, P.J.
Sims, J.
- C056332 THE PEOPLE v. (Not For Publication)**
CARLOS ALBERTO MELGAR
The judgment is affirmed.
RAYE, Acting P.J.
We Concur: Morrison, J.
Hull, J.
- C056615 THE PEOPLE v. (Not For Publication)**
JEFFREY STUART LAWHORN
The judgment of conviction is affirmed.
BLEASE, J.
We Concur: Scotland, P.J.
Morrison, J.
- C056894 THE PEOPLE v. WHITAKER (Not For Publication)**
The judgment is modified to stay the one-year section... enhancement for
the 1982 prior prison term. As modified, the judgment is affirmed.
CANTIL-SAKAUYE, J.
We Concur: Davis, Acting P.J.
Morrison, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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Court Minutes

September 30, 2008, continued

**C057101 THE PEOPLE v. (Not For Publication)
JOHN PETER LESKIN**

The judgment is modified... As modified, the judgment is affirmed. The trial court is directed to amend the abstract of judgment to reflect the modification, and to send a certified copy of the amended abstract to the Department of Corrections and Rehabilitation.

HULL, J.

We Concur: Raye, Acting P.J.
Morrison, J.

**C058032 THE PEOPLE v. (Not For Publication)
RICHARD WAYNE WALDRON**

The condition of probation is modified to state the following: "Defendant is not to associate with persons known to him to be drug sellers or users, and he is not to be in places where he knows drugs are illegally traded." As modified, the judgment is affirmed.

ROBIE, J.

We Concur: Sims, Acting P.J.
Davis, J.

**C056051 THE PEOPLE v. (Not For Publication)
JOHN ANTHONY ALMEDA**

THE COURT:

It is ordered that the opinion filed herein on September 5, 2008, be modified...

There is no change in the judgment.

Defendant's petition for rehearing is denied.

BY THE COURT:

BLEASE, Acting P.J.
Raye, J.

October 1, 2008

**C057985 In re T.E.; SACRAMENTO COUNTY (Not For Publication)
DEPARTMENT OF HEALTH AND
HUMAN SERVICES v. D.E.**

The juvenile court's orders are affirmed.

DAVIS, J.

We Concur: Scotland, P.J.
Blease, J.

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Court Minutes

October 1, 2008, Continued

**C056413 THE PEOPLE v. (Not For Publication)
VICTOR FRANK SALAZAR**

Defendant's convictions for simple possession of methamphetamine... and simple possession of heroin... are stricken. The drug program fee of \$300 and the lab fee of \$100 are stricken. ... In all other respects, the judgment is affirmed. The trial court is directed to prepare an amended abstract of judgment reflecting these modifications and to send a certified copy of this abstract to the Department of Corrections and Rehabilitation.

DAVIS, Acting P.J.

We Concur: Morrison, J.

Cantil-Sakauye, J.

**C057901 THE PEOPLE v. (Not For Publication)
TIMOTHY DALE DUFORE**

The judgment is affirmed.

CANTIL-SAKAUYE, J.

We Concur: Morrison, Acting P.J.

Robie, J.

October 2, 2008

**C054269 THE PEOPLE v. (Not For Publication)
MOISEY KELBATYROV et al.**

The judgment is affirmed. The trial court is directed to make an appropriate correction to the probation report.

DAVIS, Acting P.J.

We Concur: Morrison, J.

Cantil-Sakauye, J.

**C054849 THE PEOPLE v. VLADIMIR VASILYEVICH RAKIN
BY THE COURT:**

Respondent's petition filed on September 18, 2008, for rehearing is granted. The decision filed on September 3, 2008, is vacated.

SCOTLAND, P.J.

October 3, 2008

There are no minutes for this date.